

**MINUTES OF THE  
SOUTH OGDEN CITY COUNCIL MEETING  
Tuesday, November 18, 2014 – 6:00 p.m.  
Council Chambers, City Hall**

**COUNCIL MEMBERS PRESENT**

Mayor James F. Minster, Council Members Sallee Orr, Wayne Smith and Brent Strate

**COUNCIL MEMBERS EXCUSED**

Council Members Bryan Benard and Russ Porter

**STAFF MEMBERS PRESENT**

City Manager Matt Dixon, Parks and Public Works Director Jon Andersen, Chief of Police Darin Parke, Fire Chief Cameron West, and Recorder Leesa Kapetanov

**CITIZENS PRESENT**

Jim Pearce, Mikayla Hargrove, Allie Holden, Marissa Gonzales, Katelyn Panter, Brenton Strate, Ami D, Austin Miller, Jerry Cottrell, Walt Bausman, Gary Boyer, Kylee Strate

**I. OPENING CEREMONY**

**A. Call to Order**

Mayor James F. Minster called the meeting to order at 6:07 pm and called for a motion to convene.

**Council Member Benard moved to convene as the South Ogden City Council, with a second from Council Member Orr. In a voice vote Council Members Strate, Orr, and Benard all voted aye.**

**B. Prayer/Moment of Silence**

The mayor led those present in a moment of silence.

**C. Pledge of Allegiance**

Council Member Strate then directed everyone in the Pledge of Allegiance.

The mayor excused Council Members Smith and Porter, as well as City Attorney Ken Bradshaw from the meeting that evening. Mayor Minster then indicated it was time for public comments. He said no action would be taken on comments made that evening and those speaking should limit their comments to three minutes.

**II. PUBLIC COMMENTS**

**Jerry Cottrell, 5765 S 1075 E** – Mr. Cottrell wanted to publicly thank Chief West and the fire department for participating in the emergency preparedness fair held at the Pleasant Valley Stake Center. They had 300 to 400 people in attendance. The fire department and the sheriff's department had added some "wow" factor to the event.

### III. RECOGNITION OF SCOUTS/STUDENTS PRESENT

No one came forward, but the mayor recognized that some members of the Youth City Council were in attendance.

### IV. CONSENT AGENDA

#### A. Approval of November 4, 2014 Council Minutes

Mayor Minster asked if there were any questions concerning the minutes, and seeing none, he called for a motion.

**Council Member Orr moved to approve the consent agenda. The motion was seconded by Council Member Benard. There was no further discussion on the motion. The voice vote was unanimous in favor of the motion.**

**The consent agenda was approved.**

### V. DISCUSSION / ACTION ITEMS

#### A. Consideration of Previously Tabled Resolution 14-30 – Amending Rules of Procedure for City Council Meetings

Mayor Minster said everyone had extra time to review the proposed changes for the rules of procedure, and asked if the council agreed with the changes.

Council Member Strate responded that after further review, he was in favor of being more open and friendly by leaving the comment time in public hearings at five minutes.

Council Member Benard said there had not been an issue with the different times in the past, although changing the public hearing comment time to three minutes would almost cut it in half, which would potentially reduce the length of some public hearings by quite a bit. It would also prevent people from duplicating their comments. However, Mr. Benard said he was ambivalent on the matter.

There was discussion by the council on the times, as well as some suggestions on allowing some to have more time by request. After further discussion, Council Member Orr made a motion.

**Council Member Orr moved to adopt Resolution 14-30, with all the proposed changes, except for the comment time for public hearings should remain at five minutes. Also, any spelling errors should be corrected. Council Member Strate seconded the motion. The mayor asked if there was further discussion, and seeing none, he called the vote:**

Council Member Orr-	Yes
Council Member Strate-	Yes
Council Member Benard-	Yes

**The motion carried. Resolution 14-30 was adopted.**

### VI. DEPARTMENT REPORTS

#### A. Parks and Public Works Director Jon Andersen – Project Updates

Mr. Andersen said most projects were winding down for the winter but there were a few to still report on:

**Overlay Projects** – were completed other than they were still raising manhole valves on

some of the streets.

**1075 East Road Project** – they had been scheduled to asphalt last Wednesday, but the temperature was so low they had not been able to do so. They hoped to asphalt the cul-de-sacs tomorrow and the rest of the street on Thursday.

Council Member Strate then asked a question concerning awarding contracts. He gave an example of how the Air Force awarded contracts, saying some vendors received “blue ribbon status” by performing extremely well. He wondered if the city could do the same thing with road contractors. If a core sample of the road was taken and it met or exceeded expectations, that contractor would receive preference when awarding contracts. He thought it would be a good way to reward contractors for meeting or exceeding expectations.

Mr. Andersen said the contractors had to be qualified to be able to bid at all. There was also a percentage of the total of the lowest bid you could go over, if you were more confident in the contractors that did not give the lowest bid; however, the city would have to be able to justify their reasons for not going with the lowest bidder. He also said that contracts could be set up to reward vendors for their performance; for example, a contract could be for an initial two years, but then be extended for additional two year increments for up to ten years. The city could renew every two years if they were happy with the vendor, or choose not to renew if the service was not good. Council Member Strate said he would do some more research and get some information to Mr. Andersen about how the Air Force gave preferred status to some vendors.

Council Member Benard pointed out that we did not have to always take the lowest bidder. The wording was the city could take the “lowest responsible bidder” (Mr. Andersen added the word “qualified” as well). Mr. Benard cautioned that the law was written to eliminate the potential type of bias that could happen in a political environment, i.e. favoring people that they know by awarding bids to them.

Council Member Orr pointed out that having preferred vendors for streets should be looked at; she said Glasmann had not been done properly the first time and should not have had to be done so soon. The city should be able to look back and see who did roads that weren’t lasting long enough, and tell the people who did them that the city was not going to use them again because their work was not good.

City Manager Dixon reminded the council that whoever is hired constructs the road according to the city’s design standards and the road is approved by our standards. If our engineer and staff review the work and signs off on it, the onus is not on the contractor. The question was whether it was properly designed and engineered. Mr. Dixon said the contractor needed to be qualified, but ultimately they build according to the city’s design and the work is signed off by our engineer. There was no more discussion on contracts.

Mr. Dixon then asked Mr. Andersen about the bathrooms for Nature Park. Mr. Andersen reported they were still determining who they needed to submit the plans to for approval at the county. They also had to get approval from the Division of Water Quality. The plans should be submitted to both parties within the week.

## **VII. REPORTS**

- A. **Mayor** – had attended the Veterans’ Program on November 12<sup>th</sup>. Sixteen names had been added to the Veteran’s Monument on the grounds of city hall. Some of the veterans being honored were in attendance and family members for all the veterans were there. The mayor thanked Events Coordinator Jill McCullough for her excellent work in organizing the event.

The mayor then reported he had attended the emergency preparedness fair at the Pleasant Valley Stake Center and appreciated the work the fire department did. The city’s CERT

team coordinators were also there encouraging people to join the CERT team. CERT classes would begin in January.

**B. City Council Members**

**Council Member Strate** – pointed out the preparedness fair was for the whole community and that other religious denominations or city groups could do the same thing.

**Council Member Benard** – suggested that those involved in the preparedness fair offer their resources to other groups.

He also commented that 300 West just off Beck Street in Salt Lake City had recently been improved and looked very nice. He thought it would be a good model to follow as the city looked forward to widening and improving 40<sup>th</sup> Street. They had put islands along the street from Beck Street to West High. He also thought that the street that had been improved was part of Highway 89; he said Washington Boulevard was a part of Highway 89 as well and the city should look at putting islands along Washington Boulevard from 36<sup>th</sup> Street south.

**Council Member Orr** – said in light of the recent letter from a resident about the brightness of the electronic sign by the new car wash, she wondered if the city had a way to put something in the ordinance to regulate the brightness on signs. She knew the state had regulations, but wondered if the city could regulate them as well.

Council Member Benard said electronic billboard regulations had been thoroughly vetted at the state level, and he did not think that any city would be able to do any more. Ms. Orr said that was probably true for billboards, but this was a sign, and she thought something could be done about it.

She then reminded everyone about the Internet Safety Class sponsored by the city that would be held tomorrow night. She wondered if the city could do it again to give those who could not attend the first time another chance.

She also asked if the parking issue by McKay-Dee Hospital had been resolved. She had driven past where the problem had been, and it seemed much better.

Council Member Orr then noted they would not be discussing annexation that evening, but asked a question concerning the 1979 annexation map.

She then reported that on January 22, 2015 the Bonneville Communities That Care Program would be holding a town hall meeting featuring Olympic athletes.

Council Member Strate then began comment on Council Members Orr's annexation question. City Manager Dixon interrupted, saying he was concerned about having a discussion on annexation at this point, as it was listed later on the agenda. He also pointed out there had been discussion about possibly tabling the discussion, but if the council still wanted to talk about annexation, they should wait until the proper time on the agenda. Council Member Strate said he would hold his comments for another time.

The mayor then recognized Police Chief Darin Parke at the podium. The chief reported that the parking problem at the hospital had been resolved by the neighborhood and the hospital. He also reported the Internet Safety Class would be in the EOC.

Chief Parke then said he wanted to make the council aware of an issue that was of great concern to him and affected the whole state. There was some proposed legislation to change the criminal classification of drugs from a felony to a misdemeanor, which would prohibit sentencing those with drug convictions to prison. Prosecutors across the state, as well as the police chiefs in the area were all against the legislation. The idea behind the legislation was to have a greater focus on treatment than incarceration, as well as free up more space in the new prison facility. The reality was that this would not fix the problem of drug abuse and drug addiction and would not give cities the tools they need to stop the problem.

- C. **City Manager** – Mr. Dixon said that the Utah League of Cities and Towns, on behalf of all its members, would be standing against the legislation mentioned by Chief Parke. City Manager Dixon then reported The Utah Transportation Coalition and the Utah League of Cities and Towns had launched a statewide campaign to make people aware of the lack of transportation funding in the state; the lack of funding was huge a problem. There would be a resolution on the next agenda pledging the city's support of the campaign. Mr. Dixon then reminded the council of the combined meeting with the planning commission on November 25<sup>th</sup> concerning the commercial form based code. It would be facilitated by the consultants hired to re-do the code for the city. Staff would also take the opportunity to do the annual open and public meeting training. Staff had also received the landscape plan for the island that would be created with the re-alignment of Harrison and Highway 89. City Planner Mark Vlasic had reviewed it and met with PEC, the firm who had created the plan, and offered some suggestions to enhance it. PEC had incorporated the ideas into a new landscape plan.
- D. **City Attorney Ken Bradshaw** – not present.

#### VIII. **ADJOURN CITY COUNCIL MEETING AND CONVENE INTO WORK SESSION**

Mayor Minster explained that because two council members were not in attendance that evening, the remaining council had decided not to hold the work session. Therefore, he entertained a motion to table the work session.

**Council Member Strate moved to table the work session, followed by a second from Council Member Benard. The vote was unanimous in favor of the motion.**

City Manager Dixon pointed out the council had several issues that were important to them that they wanted to discuss and have work sessions about. He wanted to know what the council's priorities were so that staff could prepare appropriately. He then named land use and annexation as two issues the council had expressed interest about lately, and wondered which one they wanted to talk about first.

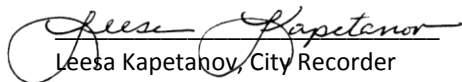
The consensus of the council was they wanted to discuss land use first.

There was no more discussion. Mayor Minster called for a motion to adjourn.

#### IX. **ADJOURN**

**At 7:06 pm, Council Member Strate moved to adjourn. The motion was seconded by Council Member Benard. All present voted aye.**

I hereby certify that the foregoing is a true, accurate and complete record of the South Ogden City Council Meeting held Tuesday, November 18, 2014.

  
Leesa Kapetanov, City Recorder

Date Approved by the City Council December 2, 2014